

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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1199SEIU, UNITED HEALTHCARE	:
WORKERS EAST,	:
	:
Plaintiff,	:
	:
-against-	:
	:
RITE AID CORPORATION and	:
THE JEAN COUTU GROUP (PJC), INC.,	:
THE JEAN COUTU GROUP USA, INC.,	:
d/b/a BROOKS ECKERD DRUG STORES,	:
	:
Defendants.	:
-----X	

07 cv. 04816 (GBD)

NOTICE OF MOTION
AND PROPOSED ORDER

PLEASE TAKE NOTICE that upon the accompanying Memorandum of Law in Support of the Motion of Defendants The Jean Coutu Group (PJC), Inc. and The Jean Coutu Group USA, Inc. to Dismiss the Complaint, dated June 15, 2007, Defendants The Jean Coutu Group (PJC), Inc. and the Jean Coutu Group USA, Inc. ("the Coutu companies") will move this Court before the Honorable George B. Daniels on a date to be set by the Court, in the United States Courthouse, Southern District of New York, 500 Pearl Street, New York, New York, for an Order pursuant to Rule 12(b) (1) of the Federal Rules of Civil Procedure dismissing the Complaint in its entirety as against the Coutu companies with prejudice, and for such further relief as the Court may deem just and proper.

Dated: June 15, 2007
New York, New York

Respectfully submitted,

THOMPSON WIGDOR & GILLY LLP

By: 
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- and -

Stephen M. Silvestri (*Motion to Admit Pro Hac Vice Pending*)
Stefan J. Marculewicz (*Motion to Admit Pro Hac Vice Pending*)
Laura Pierson-Scheinberg (*Motion to Admit Pro Hac Vice Pending*)
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